IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON NO.41 OF 2006

M/s.Raj Clearing Agency & Anr. ..Petitioners.

V/s.

Union of India & Ors. ..Respondents.

Mr.H.N.Thakore i/b. M/s. Thakore Jariwala & Associates for petitioners.

Mr.Y.S.Bhate for respondents.

CORAM : Dr.S.RADHAKRISHNAN & J.P.DEVADHAR, JJ.

DATED : 24TH JANUARY, 2006.

P.C. :-

1. Heard learned counsel for petitioners and respondents.

2. Rule, returnable forthwith.

3. Learned counsel for the respondents waives service.

4. By consent of parties, petition is taken up for final hearing.

5. Heard learned counsel for the petitioners and the respondents. By this petition, the petitioners are

seeking a limited relief of compliance of the order of CESTAT dated 12/12/2005 and to immediately hand over to the petitioners the CHA licence together with gate passes as issued by the Customs department to the petitioners.

6. Mr.Bhate, learned counsel appearing on behalf of respondents submitted that respondents are challenging the order of the Tribunal and makes a statement that if the respondents do not obtain any stay of the said order within a period of three weeks from today, the respondents will comply with the order of the Tribunal and also hand over the licence along with gate passes to the petitioner.

7. Petition stands disposed of. Rule is made absolute in the above terms with no order as to costs.

(Dr.S.RADHAKRISHNAN,J.)

(J. P. DEVADHAR, J.)